

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

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EDMUND J. SUSMAN, JR., and all similarly
situated individuals,

Plaintiff,

Case No.: 1:24-cv-01281-LJV

-against-

[PROPOSED] ORDER

ANN MARIE T. SULLIVAN, M.D. in her official
capacity,

Defendant.

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Upon the accompanying Verified Complaint, Declaration of Edmund J. Susman, Jr. sworn to on the 30th day of December, 2024, Declaration of Amy L. Bellantoni with attached exhibits, and accompanying Memorandum of Law in Support of his motion for a temporary restraining order and preliminary injunction, and upon all the pleadings and other papers filed in this action; and the Court, having reviewed the Memorandum of Law, supporting Declarations, and exhibits submitted therewith, and having found sufficient reason being alleged and good cause appearing therefore, it is hereby

ORDERED that Defendant Ann Marie T. Sullivan, M.D. and all successors, agents, servants, employees, and attorneys, and all other persons who are in active concert or participation with her who receive actual notice thereof shall cease reporting Plaintiff's personal identifying information to the National Instant Criminal Background Check System, the Federal Bureau of Investigation, the New York State Police, the New York State Division of Criminal Justice Services, and all other third parties during the pendency of this litigation; and it is further

ORDERED that Defendant shall be temporarily enjoined from implementing and enforcing Mental Hygiene Law § 7.09(j) and 14 NYCRR 543 against Plaintiff during the pendency of this litigation and until further order of this Court.

IT IS SO ORDERED:

Dated: _____, 2025
Buffalo, New York

United States District Judge